

OCT 20 2011

JULIA C. PUDLEY, CLERK
BY: *D. Day Jr.*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

OTTLEY SMITH,) CASE NO. 7:11CV00455
vs.)
Plaintiff,)
) FINAL ORDER
)
)
)
MR. HAROLD CLARKE, ET AL.,) By: Glen E. Conrad
Defendant(s).) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1) and 42 U.S.C. § 1997e(a); plaintiff's motion for interlocutory injunctive relief (ECF No. 2) and his requests for in forma pauperis status and appointment of counsel are **DENIED**; and this action is stricken from the active docket of the court.

ENTER: This 30th day of October, 2011.

Glen Conrad

Chief United States District Judge